

**MINUTES OF THE  
EXECUTIVE OFFICES & CRIMINAL JUSTICE  
JOINT APPROPRIATIONS SUBCOMMITTEE  
ROOM W015, WEST OFFICE BUILDING, STATE CAPITOL COMPLEX  
January 17, 2007**

**Members Present:** Sen. Michael G. Waddoups, Co-Chair  
Rep. Eric K. Hutchings, Co-Chair  
Sen. Scott D. McCoy  
Rep. Douglas C. Aagard  
Rep. Keith Grover  
Rep. Christopher N. Herrod  
Rep. Brad King  
Rep. Curtis Oda  
Rep. Jennifer M. Seelig

**Members Absent:** Sen. Curtis S. Bramble

**Staff Present:** Gary Ricks, Fiscal Analyst  
Derek Byrne, Fiscal Analyst  
Carrie Griffith, Committee Secretary

**Note:** A list of visitors and a copy of handouts are filed with the committee minutes.

Sen. Waddoups called the meeting to order at 2:12 p.m.

**MOTION:** Rep. Oda made a motion to pass the minutes of the January 10, 2007 meeting. The motion passed unanimously, with Rep. King absent for the vote.

**Board of Pardons and Parole Budget Review**

Keith Hamilton, Chairman, accompanied by Curtis Garner, Vice Chairman and John Green, Administrative Coordinator, introduced several members of their Board to the committee. Mr. Hamilton emphasized the reason he introduced so many people was to show the wealth of diverse experience they bring to the Board.

Mr. Hamilton clarified the differences between the Analysts' recommendations and the Board's requested items. He noted the Governor's Budget recommended funding for all the Board's building block requests. However, the Analysts did not recommend approval of \$30,000 for Attorney Contracts.

Curtis Garner, Vice Chair, addressed the committee and emphasized the importance of keeping contract attorneys on their Board.

A handout was distributed to the committee stating the Board's Mission Statement, Values Statement, Admission and Release Statistics and the Results of the New Lease Agreement. Mr. Garner and Mr.

Hamilton answered questions raised by committee members relating to the above issues, as well as parole violation hearings.

Copies of a letter written by Mark Shurtleff, Attorney General, were distributed to the committee. In the letter, Mr. Shurtleff expressed his support for the Board's request for Contract Attorneys. John Green, Administrative Coordinator, answered questions relating the letter.

Mr. Hamilton told the committee the Board would utilize any monies given their Board to the best of their ability.

Derek Byrne, Fiscal Analyst, directed the committee to the Budget Brief, located behind Tab 18. He briefly outlined items on the Brief, recommending that the base budget of \$3,227,800 be approved and the following intent language be adopted: *"It is the intent of the Legislature that the funds for Board of Pardons and Parole line item shall not lapse."* Mr. Byrne explained that there will be more detail and a more elaborate budget presented at the January 18 meeting with the Courts.

Mr. Byrne also clarified the Analysts' position, stating they do not feel comfortable making a recommendation for funding Attorney Contracts at this time. He advised Mr. Hamilton to come to the committee with more concrete information for the Analysts to consider. Mr. Hamilton responded to Mr. Byrne's comments and explained the Board's needs, including a compensation package, which covers cost of living increases and discretionary salary increases on a statewide basis. He asked that the committee support those requests.

Sen. Waddoups relinquished the chair to Rep. Hutchings.

### **Treasurer Budget Review**

Gary Ricks, Fiscal Analyst, stated the Analysts recognize there are many new committee members and hope they will feel free to ask questions. He referred the committee to Tab 9 in the budget book, "Budget Brief--Utah State Treasurer," the COBI, and a copy of H.B.1.

Mr. Ricks briefly reviewed the Budget Brief, recommending that the base budget of \$2,541,000 be approved and also recommended that the following intent language be adopted: *"The Legislature intends that funds provided for the State Treasurer shall not lapse."* He then referred to H.B.1 and described how the Legislature has adopted a rule to evaluate base budgets which have been appropriated. On page 4 of the bill, he showed the breakdown for the State Treasurer's Budget with the \$2,541,000 figure provided by the Analysts.

Ed Alter, State Treasurer, accompanied by Richard Ellis, Chief Deputy Treasurer, and Kim Oliver, Administrator of Alpine Property Trust Fund, gave a brief overview of the Department's duties and responsibilities. He stated the Department is asking for no new general fund dollars but would like a

continuation of the existing budget. Mr. Alter discussed monies the Department has been able to earn for Utah through investments they've made. Of the money they've helped generate through investments, they would like only a small part back for their budget.

Mr. Alter explained items such as debts, arbitrage rebate calculations, and unclaimed property. An in-depth discussion took place regarding unclaimed property, with Mr. Ellis and Ms. Oliver answering questions posed by the committee.

### **State Auditor Budget Review**

Gary Ricks, Fiscal Analyst, briefly reviewed the "Budget Brief--Utah State Auditor" and stated the Analysts recommendations for the Department. Those recommendations include a budget appropriation of \$4,405,000 and to continue the use of the following intent language which was approved in Senate Bill 4: *"The Legislature intends that funds provided for the State Auditor shall not lapse."*

Sen. Waddoups resumed the chair.

Auston Johnson, State Auditor, accompanied by Joe Christensen, Deputy, and Dean Eborn, Budget Director, addressed the committee. A handout showing the Department's request for Three Performance Auditors was distributed. Mr. Johnson explained the handout in detail, showing the Department's performance accomplishments for FY 2006. Questions were raised by committee members regarding auditing issues, hot line investigations, comparison charts with other states, the distinction between a performance and a financial auditor, and other topics stated on the handout.

Sen. Waddoups assigned Mr. Johnson to come back to the committee with a writeup explaining why performance audits should be funded in their office. They were also asked to explain how many additional auditors they would need and to help figure a way to convince the committee and Legislative Appropriations that they need the money. Mr. Johnson was also asked to differentiate what Utah Auditors do as opposed to other State Auditors and bring those findings back to the committee. Mr. Johnson stated he will return in about a week with the requested information.

MOTION: Sen. McCoy moved to adjourn. The motion passed unanimously.

Sen. Waddoups adjourned the meeting at 4:24 p.m.

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Sen. Michael G. Waddoups, Co-Chair

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Rep. Eric K. Hutchings, Co-Chair